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Opinion

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CONCORD, N.H.

Mr. James J. Barry
Commissioner of Welfare
Welfare Department
State House Annex
Concord, New Hampshire

Dear Mr. Barry:

This is in response to your letter of September 4, 1958 requesting our opinion as to whether your Department may assess employing school districts in full for administrative costs incurred with respect to teachers covered by the Old Age and Survivors Insurance program.

RSA 101:7 (Administration) provides that political subdivisions are required to pay the pro rata share of the cost of administration of the Old Age and Survivors Insurance program based upon the amount of wage contributions that they are required to make to the contribution fund. As is indicated in your letter the State pays two-fifths of the employer's share while the school districts pay three-fifths. RSA 101:17, II (supp). Political subdivisions are required to pay into the contribution fund a sum comprising three-fifths of the employer's share plus the employee's share, RSA 101:16, II (supp), and it is on this basis that the pro rata share or administrative costs may be assessed.

Very truly yours,

Elmer T. Bourque
Assistant Attorney General

ETB/lt